

The Firearms Section is currently experiencing a backlog in the issuance of handgun licenses. Demand for the new lifetime license and staff turnover have contributed to the backlog, which is currently 12-14 weeks from the time the money is deposited. The section asks that inquiries into the status of licenses be restricted to those longer than this announced backlog so that staff may concentrate on issuing licenses. The section apologizes for this backlog and steps have been implemented to reduce it. Applicants can assist the section by making sure that all forms are completed properly and that the proper fees are enclosed with an application.

Note: Indiana Statutes can be looked up online at www.in.gov/legislative/.

How do I apply for a handgun license?

The relevant statute is IC 35-47-2-3.

The application is really a two part process beginning with a recommendation from your local law enforcement agency and then the application is sent to the Indiana State Police. The Indiana State Police Superintendent is charged with the responsibility of actually issuing the license and administering the licensing program.

If you live in a city or town, then you must begin the application process with the police department in that city or town. If you do not live in a city or town, then you must begin the process with the sheriff of the county in which you reside. The local department will charge a fee at that time; however, another fee will have to be provided to the state when it is forwarded to the State Police. Please see the fee schedule at the bottom of the FAQ page. Please understand that if someone else types your application for you, you are responsible for reviewing and verifying that the information on the application is correct before you sign the application.

Some local departments will mail the application to the Indiana State Police for you and others will have you mail it.

An application is currently composed of three separate documents: 1) the original application, 2) the supplemental application, and 3) a blue FBI applicant fingerprint card.

The first is the application itself, which is composed of three carbonless sheets. The white copy is sent to the state after being completed and signed by the chief of police, town marshal, or sheriff over the jurisdiction in which you reside. The yellow copy is retained by the local agency and the pink copy is your receipt. The class of license you are applying for will actually be selected on the supplemental application.

The supplemental form is one sheet and contains the lifetime handgun license selections and the fee schedule that began July 1, 2006.

Finally a fingerprint card must be completed. Please make sure that all identifiers on the fingerprint card are completed or the application packet will be returned to you.

A money order or certified check made payable to the state of Indiana for the proper amount must be included.

How do I get a duplicate handgun license?

Complete the "Duplicate Handgun License Request and Notification of Name or Address Change Form" and mail it to the firearms section with a money order for \$20. If it is hand written, please make sure that it is printed and legible.

My name or address has changed. Do I have to pay for a duplicate license?

No. Complete the "Duplicate Handgun License Request and Notification of Name or Address Change Form" and mail or fax the form to the firearms section. Check that you are notifying the section of your information change only. The change will be made in the firearms database and there is no fee for this service. If you want a license issued with the changes on it, then yes, the \$20 fee for the duplicate license does apply.

Does the State Police set the fees for handgun licenses?

No. The fees for handgun licenses are established in state statute. Laws in the state are passed by the legislature (Fees: IC 35-47-2-3 & 4).

How long does it normally take to receive a handgun license?

If the form is completed properly and the applicant has no background problems, the license is routinely issued in 4 to 8 weeks; however, due to the response for the new lifetime license, the backlog for issuing licenses is approximately 12-14 weeks. The section apologizes and is taking steps to improve the backlog. Please be aware that improperly completed applications and those with background problems may take longer.

I currently have a handgun license and I want a lifetime license. When can I apply for my lifetime license?

According to IC 35-47-2-6, the period during which an application for the renewal of an existing license may be filed begins one hundred eighty (180) days before the expiration of the existing license.

I am currently a four year personal protection license holder and I want a lifetime license, do I still have to wait within 180 days of my current licenses expiration before I can apply for the lifetime license?

Yes (Re: IC 35-47-2-6).

Who may not be eligible for a license to carry?

IC 35-47-2-3

(g) A license to carry a handgun shall not be issued to any person who:

- (1) has been convicted of a felony;
- (2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;
- (3) is under eighteen (18) years of age;
- (4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult; or
- (5) has been arrested for a Class A or Class B felony, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged.

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed.

How does a conviction of domestic battery affect my right to carry a handgun?

IC 35-47-2-1

Carrying a handgun without a license or by person convicted of domestic battery

35-47-2-1 Sec. 1. (a) Except as provided in subsection (b) and section 2 of this chapter, a person shall not carry a handgun in any vehicle or on or about the person's body, except in the person's dwelling, on the person's property or fixed place of business, without a license issued under this chapter being in the person's possession.

(b) Unless the person's right to possess a firearm has been restored under IC 3-7-13-5 or IC 33-28-4-8, a person who has been convicted of domestic battery under IC 35-42-2-1.3 may not possess or carry a handgun in any vehicle or on or about the person's body in the person's dwelling or on the person's property or fixed place of business.

What is the definition of a “proper person” to be licensed?

35-47-1-7 Sec. 7. "Proper person" means a person who:

- (1) does not have a conviction for resisting law enforcement under IC 35-44-3-3 within five (5) years before the person applies for a license or permit under this chapter;
- (2) does not have a conviction for a crime for which the person could have been sentenced for more than one (1) year;
- (3) does not have a conviction for a crime of domestic violence (as defined in IC 35-41-1-6.3), unless a court has restored the person's right to possess a firearm under IC 3-7-13-5;
- (4) is not prohibited by a court order from possessing a handgun;
- (5) does not have a record of being an alcohol or drug abuser as defined in this chapter;
- (6) does not have documented evidence which would give rise to a reasonable belief that the person has a propensity for violent or emotionally unstable conduct;
- (7) does not make a false statement of material fact on the person's application;
- (8) does not have a conviction for any crime involving an inability to safely handle a handgun;
- (9) does not have a conviction for violation of the provisions of this article within five (5) years of the person's application; or
- (10) does not have an adjudication as a delinquent child for an act that would be a felony if committed by an adult, if the person applying for a license or permit under this chapter is less than twenty-three (23) years of age.

What is the legal definition of a handgun under Indiana Law?

IC 35-47-1-6 "Handgun"

35-47-1-6 Sec. 6. "Handgun" means any firearm:

- (1) designed or adapted so as to be aimed and fired from one (1) hand, regardless of barrel length; or
- (2) any firearm with:
 - (A) a barrel less than sixteen (16) inches in length; or
 - (B) an overall length of less than twenty-six (26) inches.

What states honor my Indiana handgun license?

Indiana honors all other states handgun licenses. Not all other states honor Indiana's license. Websites and organizations such as the NRA do attempt to track this information. Each state regulates this area differently and there is no obligation for one state to notify another state of any change in their law; therefore the department does not attempt to track this information.

I am a resident of another state and I have a valid handgun license issued by my home state. Does Indiana honor my states license?

Yes. Indiana honors valid handgun licenses issued by another state.

IC 35-47-2-21

Recognition of retail dealers' licenses and licenses to carry handguns issued by other states

35-47-2-21 Sec. 21. (a) Retail dealers' licenses issued by other states or foreign countries will not be recognized in Indiana except for sales at wholesale.

(b) Licenses to carry handguns, issued by other states or foreign countries, will be recognized according to the terms thereof but only while the holders are not residents of Indiana.

Does the state regulate the purchasing of handguns?

The relevant chapter in statute is IC 35-47-2.5

The state does require handgun dealers to have an Indiana dealer's license. Indiana law requires the dealer to complete a check through the National Instant Criminal Background Check System maintained by the Federal Bureau of Investigation and for prospective purchasers to complete federal form 4473 on each purchase.

Why do you not wait to cash my check until you process the application?

Indiana Board of Accounts procedures require the money be deposited within 24 hours.

I have a felony record, can I possess a firearm?

No, federal law prohibits a convicted felon from owning a firearm.

I have a felony record, can I possess a cap and ball musket?

Yes, unless your felony conviction is for a crime listed under IC 35-47-4-5.

IC 35-47-4-5

Unlawful possession of firearm by serious violent felon

35-47-4-5 Sec. 5. (a) As used in this section, "serious violent felon" means a person who has been convicted of:

(1) committing a serious violent felony in:

(A) Indiana; or

(B) any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a serious violent felony; or

(2) attempting to commit or conspiring to commit a serious violent felony in:

(A) Indiana as provided under IC 35-41-5-1 or IC 35-41-5-2;

or

(B) any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of attempting to commit or conspiring to commit a serious violent felony.

(b) As used in this section, "serious violent felony" means:

(1) murder (IC 35-42-1-1);

(2) voluntary manslaughter (IC 35-42-1-3);

(3) reckless homicide not committed by means of a vehicle (IC 35-42-1-5);

(4) battery as a:

(A) Class A felony (IC 35-42-2-1(a)(5));

(B) Class B felony (IC 35-42-2-1(a)(4)); or

(C) Class C felony (IC 35-42-2-1(a)(3));

(5) aggravated battery (IC 35-42-2-1.5);

(6) kidnapping (IC 35-42-3-2);

(7) criminal confinement (IC 35-42-3-3);

(8) rape (IC 35-42-4-1);

(9) criminal deviate conduct (IC 35-42-4-2);

(10) child molesting (IC 35-42-4-3);

(11) sexual battery as a Class C felony (IC 35-42-4-8);

(12) robbery (IC 35-42-5-1);

(13) carjacking (IC 35-42-5-2);

(14) arson as a Class A felony or Class B felony (IC 35-43-1-1(a));

(15) burglary as a Class A felony or Class B felony (IC 35-43-2-1);

(16) assisting a criminal as a Class C felony (IC 35-44-3-2);

(17) resisting law enforcement as a Class B felony or Class C felony (IC 35-44-3-3);

(18) escape as a Class B felony or Class C felony (IC 35-44-3-5);

(19) trafficking with an inmate as a Class C felony (IC 35-44-3-9);

(20) criminal gang intimidation (IC 35-45-9-4);

(21) stalking as a Class B felony or Class C felony (IC 35-45-10-5);

(22) incest (IC 35-46-1-3);

(23) dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1);

(24) dealing in methamphetamine (IC 35-48-4-1.1);

(25) dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2);

(26) dealing in a schedule IV controlled substance (IC 35-48-4-3); or

(27) dealing in a schedule V controlled substance (IC 35-48-4-4).

(c) A serious violent felon who knowingly or intentionally possesses a firearm commits unlawful possession of a firearm by a serious violent felon, a Class B felony.

Does Indiana state law define areas where it is illegal to carry a handgun even with a permit?

Yes, and for your information the following state statutes and administrative code references are provided. Please be aware that local municipalities and counties may have enacted ordinances that are not listed, primarily limiting firearms in public buildings and property. Also, the right to carry a firearm may be restricted on private property and businesses by the owners. Be attentive for signs warning of restricted areas when carrying firearms into public places.

School Property

IC 35-47-9

Chapter 9. Possession of Firearms on School Property and School Buses

IC 35-47-9-1

Exemptions from chapter

35-47-9-1 Sec. 1. This chapter does not apply to the following:

(1) A:

(A) federal;

(B) state; or

(C) local;

law enforcement officer.

(2) A person who has been employed or authorized by:

(A) a school; or

(B) another person who owns or operates property being used by a school for a school function;

to act as a security guard, perform or participate in a school function, or participate in any other activity authorized by a school.

(3) A person who:

(A) may legally possess a firearm; and

(B) possesses the firearm in a motor vehicle that is being operated by the person to transport another person to or from a school or a school function.

IC 35-47-9-2

Possession of firearms on school property, at school function, or on school bus; felony

35-47-9-2 Sec. 2. A person who possesses a firearm:

(1) in or on school property;

(2) in or on property that is being used by a school for a school function; or

(3) on a school bus;

commits a Class D felony.

Airports and Aircraft

IC 35-47-6

Chapter 6. Weapons on Aircraft

IC 35-47-6-0.5

Applicability of chapter

35-47-6-0.5 Sec. 0.5. (a) Except as provided in subsection (b), this chapter does not apply to an official or employee:

(1) of:

(A) the United States;

(B) a state or political subdivision of a state;

(C) an operator (as defined in IC 5-23-2-8); or

(D) any other entity that has been granted statutory authority to enforce the penal laws of Indiana;

(2) who has been granted the power to effect arrests under Indiana law; and

(3) who has been authorized by the official's or employee's agency or employer to carry firearms.

(b) An individual described in subsection (a) is subject to the applicable regulations of the United States concerning the possession and carriage of firearms on aircraft or in areas of an airport to which access is controlled by the inspection of persons and property.

IC 35-47-6-1

Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft

35-47-6-1 Sec. 1. A person who boards a commercial or charter aircraft having in his possession:

(1) a firearm;

(2) an explosive; or

(3) any other deadly weapon;

commits a Class C felony.

IC 35-47-6-1.1

Undisclosed transport of dangerous device

35-47-6-1.1 Sec. 1.1. (a) As used in this section, "dangerous device" means:

(1) a firearm;

(2) a destructive device (as defined in IC 35-47.5-2-4); or

(3) a weapon of mass destruction (IC 35-41-1-29.4).

(b) A person who checks an item to be transported on a commercial passenger airline and who:

(1) knows the item contains a dangerous device; and

(2) knowingly or intentionally fails to disclose orally or in writing to the person to whom possession of the item is delivered for carriage that the item contains a dangerous device; commits undisclosed transport of a dangerous device, a Class A misdemeanor.

IC 35-47-6-1.3

Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport

35-47-6-1.3 Sec. 1.3. A person who knowingly or intentionally enters an area of an airport to which access is controlled by the inspection of persons and property while the person:

- (1) possesses:
 - (A) a firearm;
 - (B) an explosive; or
 - (C) any other deadly weapon; or
- (2) has access to property that contains:
 - (A) a firearm;
 - (B) an explosive; or
 - (C) any other deadly weapon;

commits a Class A misdemeanor.

IC 35-47-6-1.4

Unlawful entry to restricted area of airport

35-47-6-1.4 Sec. 1.4. (a) This section does not apply to a person who is:

- (1) employed by:
 - (A) an airport;
 - (B) an airline; or
 - (C) a law enforcement agency; and
- (2) acting lawfully within the scope of the person's employment.

(b) A person who knowingly or intentionally enters an area of an airport to which access is controlled by the inspection of persons or property without submitting to the inspection commits a Class A misdemeanor.

IC 35-47-6-1.6

Disrupting operation of aircraft; Class B felony

35-47-6-1.6 Sec. 1.6. (a) A person who knowingly or intentionally uses force or violence or the threat of force or violence to disrupt the operation of an aircraft commits a Class B felony.

(b) A person who knowingly or intentionally uses force or violence or the threat of force or violence to hijack an aircraft in flight commits a Class A felony.

(c) For purposes of this section, an aircraft is considered to be in flight while the aircraft is:

- (1) on the ground in Indiana:
 - (A) after the doors of the aircraft are closed for takeoff; and
 - (B) until the aircraft takes off;
- (2) in the airspace above Indiana; or
- (3) on the ground in Indiana:
 - (A) after the aircraft lands; and
 - (B) before the doors of the aircraft are opened after landing.

IC 35-47-6-3

Consent to search of person or personal belongings

35-47-6-3 Sec. 3. Any person purchasing a ticket to board any commercial or charter aircraft shall by such purchase consent to a search of his person or personal belongings by the company selling said ticket to him. In case said person shall refuse to submit to a search of his person or personal belongings by said aircraft company, the person refusing may be denied the right to board said commercial or charter aircraft.

Off Road Vehicles

IC 14-16-1

Chapter 1. Off-Road Vehicles

IC 14-16-1-23

Restrictions on operation

Sec. 23. (a) An individual shall not operate a vehicle under any of the following conditions:

(1) At a rate of speed greater than is reasonable and proper having due regard for existing conditions or in a manner that unnecessarily endangers the person or property of another.

(2) While:

(A) under the influence of an alcoholic beverage; or

(B) unlawfully under the influence of a narcotic or other habit forming or dangerous depressant or stimulant drug.

(3) During the hours from thirty (30) minutes after sunset to thirty (30) minutes before sunrise without displaying a lighted headlight and a lighted taillight.

(4) In a forest nursery, a planting area, or public land posted or reasonably identified as an area of forest or plant reproduction and when growing stock may be damaged.

(5) On the frozen surface of public waters within:

(A) one hundred (100) feet of an individual not in or upon a vehicle; or

(B) one hundred (100) feet of a fishing shanty or shelter;

except at a speed of not more than five (5) miles per hour.

(6) Unless the vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.

(7) Within one hundred (100) feet of a dwelling between midnight and 6:00 a.m., except on the individual's own property or property under the individual's control or as an invited guest.

(8) On any property without the consent of the landowner or tenant.

(9) While transporting on or in the vehicle a firearm unless the firearm is:

(A) unloaded; and

(B) securely encased or equipped with and made inoperative by a manufactured keylocked trigger housing mechanism.

(10) On or across a cemetery or burial ground.

(11) Within one hundred (100) feet of a slide, ski, or skating area, except for the purpose of servicing the area.

(12) On a railroad track or railroad right-of-way, except railroad personnel in the performance of duties.

(13) In or upon a flowing river, stream, or creek, except for the purpose of crossing by the

shortest possible route, unless the river, stream, or creek is of sufficient water depth to permit movement by flotation of the vehicle at all times.

(14) An individual shall not operate a vehicle while a bow is present in or on the vehicle if the nock of an arrow is in position on the string of the bow.

(b) Subsection (a)(9) does not apply to a person who is carrying a handgun if the person:

(1) has been issued an unlimited handgun license to carry a handgun under IC 35-47-2; or

(2) is not required to possess a license to carry a handgun under IC 35-47-2-2.

Weapons on Riverboats

Rule 7. Weapons

68 IAC 1-7-1 Weapons on the riverboat

Authority: IC 4-33-4-1; IC 4-33-4-2; IC 4-33-4-3

Affected: IC 4-33-8; IC 35-41-1-17

Sec. 1. (a) The following definitions apply throughout this rule:

(1) "Federal enforcement officer" has the meaning set forth in 5 U.S.C. 8331 or IC 35-41-1-17, or both.

(2) "Law enforcement officer" has the meaning set forth in IC 35-41-1-17.

(3) "Security personnel" means an employee of the riverboat licensee or a supplier licensee who:

(A) holds the appropriate level of occupational license under IC 4-33-8 and 68 IAC 2-3; and

(B) is employed in the riverboat licensee's security department or by a supplier licensee that contractually provides security services to a riverboat licensee.

(b) No individual other than an enforcement agent shall carry a weapon on board the riverboat. A law enforcement officer or a federal enforcement officer:

(1) whose sole purpose for being on the riverboat is the performance of official duties; and

(2) who has advised the enforcement agent or the commission that the officer will be on board the riverboat; shall be allowed to carry a weapon on board the riverboat.

(c) The riverboat licensee shall post a sign in a prominent place at the point of passenger ingress stating, "No weapons are allowed beyond this point. Failure to comply with this rule may result in the immediate removal from the riverboat, immediate detention by security personnel, the imposition of civil penalties, or exclusion under IC 4-33.".

(d) The riverboat licensee shall provide a secure place to which patrons do not have access to store weapons checked by:

(1) patrons;

(2) off duty law enforcement officers; or

(3) off duty federal enforcement officers.

(e) Security personnel may carry a weapon on board the riverboat during times that patrons are not present.

(Indiana Gaming Commission; 68 IAC 1-7-1; filed Jun 23, 1995, 2:30 p.m.: 18 IR 2649;

readopted filed Oct 15, 2001, 4:34 p.m.: 25 IR 898; filed Dec

18, 2006, 1:16 p.m.: 20070117-IR-068060190FRA)

DNR Property

312 IAC 8-2-3

Please go to the Legislative Service website to search for latest information on this administrative code (<http://www.in.gov/legislative/iac/>).

HANDGUN LICENSING FEE SCHEDULE
Effective July 1, 2006

License Type	Local Fee	State Fee
Four Year Hunting and Target	\$10/\$5 Refundable*	\$5
Four Year Personal Protection	\$10/\$5 Refundable*	\$30
Lifetime Hunting and Target/ No Current License	\$50/\$30 Refundable*	\$25
Lifetime Hunting and Target/ Current Valid License	\$40/\$30 Refundable*	\$20
Lifetime Personal Protection/ No Current License	\$50/\$30 Refundable*	\$75
Lifetime Personal Protection/ Current Valid License	\$40/\$30 Refundable*	\$60
Retired Law Enforcement Officer	Not Provided in Law	Fee Exempt
Retired Corrections Officer	Not Provided in Law	Fee Exempt
Firearms Dealer	Not Provided in Law	Fee Exempt

*A portion of the local fee is refundable if a license is not issued. The entire state fee is refundable if no license is issued.